

properly chargeable in account, shall be legal evidence in any court or before any justice of the peace of this State to charge the person to whom such money, goods, wares, merchandise or effects shall be so proved to be delivered, or at whose instance or request such work or services shall be so proven to be done or rendered; and the oath of such witness, made and certified as aforesaid, shall be good evidence to prove the price of the goods, wares, merchandise and effects delivered or so sold, or the value of the work so done or of the services so rendered, and also to prove an assumption to pay for the same; provided, the party bringing suit for such money, or the price of such goods, or the value of such work or services, shall, on or before the first day of the trial term of the court, make oath as aforesaid, before some judge or justice of the peace of this State, or before some officer of the State or county where he may be at the time, having authority to administer an oath therein, and certified as aforesaid, that he believes the money, goods, merchandise, effects or chattels charged in the account to which such oath shall be annexed, were *bona fide* delivered as charged, or that the work or services charged in said account were *bona fide* done or rendered as therein charged, and that he hath not to his knowledge or belief received any payment or satisfaction for the articles, work or services therein charged more than credit is duly given for in and appearing upon the said account, nor hath he received any security for the same, and that the amount charged and claimed is justly due according to the best of his knowledge and belief.

Evans v. Bonner, 2 H. & McH. 377. Gordon v. Hickman's Adm'x, 4 H. & McH. 217. Dyson v. West, 1 H. & J. 567. Stevenson v. Shriver, 9 G. & J. 336.

P. G. L., (1860.) art. 37, sec. 43. 1785, ch. 46, sec. 5. 1868, ch. 392

44. Any account for money or goods lent or due, and chargeable for goods sold, work done, or other things properly chargeable in account, not exceeding fifty dollars, which shall be sworn to by the creditor before a justice of the peace of this State, or before any officer of any other State or county where he may be at the time, having authority to administer an oath therein, and certified as aforesaid to be just and true; and that